

BEFORE THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL CONTROL

IN THE MATTER OF  
GOULD, INC.,  
A Delaware Corporation,  
Respondent.

)  
)  
)  
)

Case No. 677

AMENDED  
ADMINISTRATIVE ORDER

I.

At all times alleged herein, the Respondent, Gould, Inc., 555 Farnam Street, Omaha, Nebraska 68102, is and was a Delaware corporation, which operated a secondary lead refinery in Omaha, Nebraska, and whose resident agent for service of process is and was C.T. Corporation, 206 South 13th Street, Lincoln, Nebraska 68508, and the Department of Environmental Control is and was the agency of the State of Nebraska charged with the duty, pursuant to Neb. Rev. Stat. § 81-1504(1) (Reissue 1981), as amended, of exercising exclusive general jurisdiction of the administration and enforcement of the provisions of Neb. Rev. Stat. §§ 81-1501 through 81-1533 (Reissue 1981), as amended, and all rules, regulations and orders duly promulgated thereunder.

II.

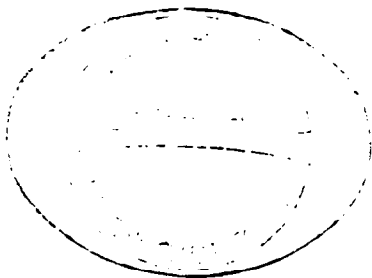
George H. Ludwig, Acting Director of the Department of Environmental Control, acting within the scope of his authority pursuant to Neb. Rev. Stat. § 81-1507 (Reissue 1981), as amended, enters the following Order on November 9<sup>th</sup>, 1983:

"Respondent is located in an area that has exceeded the National Ambient Air Quality Standard for lead and part of

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the State Implementation Plan control strategy includes the plant being closed, which it is;

NOW, THEREFORE, IT IS ORDERED that Respondent notify the Department at least 60 days prior to resuming operations at this facility and obtain a permit to operate prior to start-up. A permit to resume operation of this plant will be issued only if it is determined that such operation will not cause or contribute to violation of the lead standard; such determination to be made on the basis of calculated lead emissions from the facility and the resulting impact on air quality in the vicinity, using methods of estimating or measuring emissions and air quality models deemed appropriate by the Department. The permit will be issued in accordance with Neb. Rev. Stat. § 81-1504(20) (Supp. 1983).



George H. Ludwig  
George H. Ludwig, Acting Director  
Nebraska Department of  
Environmental Control

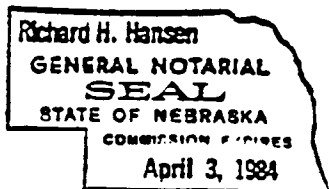
State of Nebraska )  
 ) ss.  
Lancaster County )

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George H. Ludwig, being first duly sworn, upon his oath deposes and says the he is the Acting Director of the Nebraska Department of Environmental Control, that he had read the foregoing Order and the facts contained therein are true as he verily believes, that his signature thereon was his own voluntary act and deed and within the scope of his authority.

George H. Ludwig  
George H. Ludwig

Subscribed and sworn to in my presence this 1<sup>st</sup> day of November, 1983.



Richard H. Hansen  
Notary Public

AFFIDAVIT

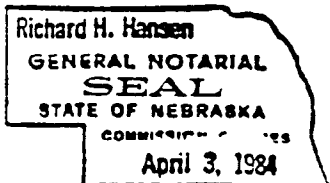
State of Nebraska )  
 ) ss.  
Lancaster County )

Vernon T. Hanneman, being first duly sworn, upon his oath, deposes and says as follows:

1. That he is employed by the Nebraska Department of Environmental Control.
2. That on the 10<sup>th</sup> day of November, 1983, he did mail a copy of the foregoing Order by certified mail, first class, postage prepaid, to the Respondent (or his registered agent), C.T. Corporation, 206 South 15th Street,  
Lincoln, Nebraska 68508

Vernon T. Hanneman

Subscribed to and sworn in my presence this 10<sup>th</sup> day of November, 1983.



Richard H. Hansen  
Notary Public

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EPA Rulemakings

CFR: 40 C.F.R. 52.1420(c)(30)

FRM: 50 FR 4510 (1/31/85)

PRM: 48 FR 57323 (12/29/83); 49 FR 24149 (6/12/84)

State Submission: 11/17/83

State Proposal: Unknown

State Final: 11/9/83

APDB File: NE-13

Description: EPA approved an administrative order issued by the state to Gould, Inc. in conjunction with other action on the Omaha lead SIP.

[illegible]

### Difference Between the State and EPA-Approved Regulation

None. However, the order is obsolete because the source no longer exists.